REMARKS

By way of Office Action mailed October 9, 2003, the Examiner has entered a two-

way Restriction Requirement as follows:

Group I - Claims 1-62 directed to an apparatus for applying a treatment fluid to

foodstuffs; and

Group II - Claim 63 directed to a method of applying a treatment fluid to foodstuffs.

Applicants hereby elect, without traverse, the Group I claims - that is, claims 1-62

- for further prosecution in this application. Claim 63 has been canceled. Of course, Applicants

reserve the right to continue prosecution of the canceled subject matter in a divisional

application.

In addition, the Examiner has also required Applicants to elect a single disclosed

species for purpose of initial examination. To that end, Applicants elect the "apparatus with

spiral blade agitation" as identified by the Examiner on page 2 of the Office Action. Claim 45 is

generic to this species, while claims 46-62 read thereon.

In view of the above amendments and remarks, consideration and allowance of

elected claims 1-62 are respectfully requested.

Respectfully submitted.

C. Cayce Warf, Jr. et al.

Seed Intellectual Property Law Group PLLC

Karl R. Hermanns

Registration No. 33,507

KRH:lhk

701 Fifth Avenue, Suite 6300

Seattle, Washington 98104-7092

Phone: (206) 622-4900

Fax: (206) 682-6031

C:\110088.451 \427346